

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA)	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.
	)	
CORINNE M. CONWAY,	)	
	)	
Defendant.	)	

PLEA AGREEMENT

The following agreement has been made between CORINNE M. CONWAY, defendant, by and through her undersigned counsel, Robin Fowler, and the United States of America, by and through the United States Attorney Todd P. Graves, and the undersigned Assistant United States Attorneys. There are no agreements or understandings as to the disposition of this case other than those set forth herein.

1. The defendant acknowledges that she is currently charged in a multiple count indictment with conspiracy to commit interstate transportation of property obtained by fraud (Count One) in violation of Title 18, United States Code, Section 371; interstate transportation of property obtained by fraud (Counts Two through Fourteen) in violation of Title 18, United States Code, Section 2314; and criminal forfeiture in violation of Title 18, United States Code, Section 981(a)(1)(C)(Count Twenty-two). The indictment relates to a fraud scheme in which individuals provided purchase money to buy

motor vehicles from what was represented to be a multi-million dollar estate offering such vehicles at bargain prices to reward purchasers for their religious faith.

The defendant, who sold vehicles to numerous individuals and received substantial amounts of "commissions" from purchasers, has agreed to waive her right to grand jury indictment and to plead guilty to an Information charging felony tax evasion in violation of Title 26, United States Codes, Section 7201. Attached is a copy of an Information setting forth the charges of felony tax evasion. By entering into this Plea Agreement, the defendant admits that she knowingly committed this offense, and is in fact guilty of this offense.

Defendant acknowledges that she has been informed that the Internal Revenue Service and the Department of Justice, Tax Division, are required to authorize the filing of any criminal tax charges. Defendant has requested that both Internal Revenue Service and the Department of Justice, Tax Division, authorize the filing of the felony tax evasion charges against her so that she can plead guilty to felony tax evasion under this Plea Agreement.

2. The parties agree that the facts constituting the offense to which she is pleading guilty are as follows:

(a) Defendant CORINNE M. CONWAY, a resident of Higginsville, Missouri, operated an organization named The Virtuous Women International Ministries, which had contacts

with churches and religious groups throughout the United States. CONWAY introduced Gwendolyn Baker to individuals in these churches and religious groups to promote the selling of automobiles and other motor vehicles from an estate which was represented to have the vehicles for sale.

(b) CONWAY became what was termed a "finder" for the estate vehicles; that is, she found individuals who wished to purchase the vehicles. CONWAY also had several other finders throughout the United States, and purchase money from these other finders was transmitted to Conway. CONWAY generally received purchase money and then forwarded it to Gwendolyn Baker either in Tennessee or California.

(c) Initially, CONWAY did not charge additional fees for selling the estate cars. By the fall of 1999, however, she began charging a \$50 administrative fee for each vehicle purchased. The fee was to cover her out of pocket expenses relative to the sale of the vehicles. In 2000, CONWAY began receiving \$1000 for some of the vehicles purchased. CONWAY instructed purchasers to provide a cashier's check for the purchase price of the vehicle payable to Gwendolyn Baker and a separate cashier's check for the payment of commissions to her in connection with the vehicle sales. If a separate finder was involved and receiving a fee or commission, the purchaser would be required to provide a third cashier's check payable to that finder.

(d) CONWAY deposited the finders fee or commission checks into personal bank accounts at Firststar Bank, Higginsville, Missouri; an account of The Virtuous Women International Ministries at Firststar Bank, Higginsville, Missouri; or a personal account at SunTrust Bank, Chattanooga, Tennessee. CONWAY paid a number of personal expenses out of the Virtuous Women International Ministries account.

(e) As time went on and the vehicles were not delivered as promised, some individuals requested refunds of their purchase money. CONWAY used some of the funds in her various accounts to pay a certain amount of refunds to such purchasers.

(f) Computations by the Internal Revenue Service show the following with respect to net profit from finder's fees for the calendar year 2000 computed by deducting refunds paid and business expenses from the gross finder's fees: \$818,209.00

(based on gross finder's fees of \$991,810.00 less \$161,222.00 in refunds paid and business expenses), with a resulting income tax liability of approximately \$320,379.64.

(g) Defendant CONWAY acknowledges that she did not file timely federal income tax returns or timely pay income taxes in 2000 on the income from the finder's fees.

(h) Defendant CONWAY acknowledges that she believed in 2000 that she should have filed federal income tax returns and paid federal income tax in that year.

(i) Defendant CONWAY further acknowledges that she took certain steps in 2000 to prevent the Internal Revenue Service from learning of her income from finder's fees and her tax liability for those fees.

3. The defendant also acknowledges and agrees that the conduct charged in prior years in which she did not file federal income tax returns or pay income tax may be considered as "relevant conduct" for purposes of calculating the offense level for the felony tax evasion Information in accordance with U.S.S.G. § 1B1.3(a)(2).

4. The defendant understands that the maximum sentence which may be imposed against her under the one count Information charging felony tax evasion under Title 26 United States Code, Section 7201 to which she has agreed to plead guilty are as follows: Not more than five (5) years' imprisonment, not more than \$250,000 fine, payment of costs of prosecution, an order of restitution of the amount of taxes due and owing, and a \$100 special assessment. As noted in paragraph 6 of this Plea Agreement, defendant is further agreeing that the

Court may also order restitution to purchasers of vehicles who submitted their purchase money through defendant.

5. The defendant acknowledges that she has discussed the issue of supervised release with her attorney and that she understands the nature and the effects of supervised release. In particular, the defendant understands that a violation of a condition of her supervised release may result in the revocation of supervised release and the imposition of an additional term of imprisonment of not more than two years with respect to the charge in the Indictment to which she will plead guilty. The defendant further understands that if she violates a condition of supervised release, she could be required to serve all of the term of supervised release imposed by the Court, without credit for time previously served during post-release supervision.

6. The defendant further agrees as follows with respect to the sentence to be imposed in this case:

Even though defendant is not entering a guilty plea to the counts in the pending indictment, the Court may order restitution to any victims whose purchase money for vehicles was received by defendant Conway. Defendant agrees that the Court may order such restitution as a condition of any term of supervised release ordered by the Court.

7. The defendant further agrees to the following in connection with real estate purchased with the proceeds of the finder's fees received in connection with the sale of estate cars in this case:

Defendant agrees that the real estate purchased in Higginsville, Missouri, may be sold by the United States and the proceeds deposited with the Court for payment of restitution to purchasers of estate vehicles.

8. The defendant further agrees as follows with respect to the evidence and testimony obtained by the United States pursuant to federal grand jury subpoena in this case:

Defendant agrees that the Court may enter an order pursuant to Rule 6(e), Federal Rules of Criminal Procedure, to disclose such evidence and testimony to the Internal Revenue Service in connection with a review of whether the status of The Virtuous Womens International Ministries as a charitable organization under Section 501(c) of the Internal Revenue Code is appropriate.

9. The defendant understands that this Plea Agreement binds only the defendant and the United States Attorney for the Western District of Missouri, and that it does not bind any other federal, state, or local prosecution authority.

10. In return for the defendant's plea of guilty to the charges set forth in felony tax evasion Information, the United

States Attorney for the Western District of Missouri agrees as follows:

(a) The United States will dismiss the Indictment for conspiracy and fraud against defendant CONWAY at the time of sentencing on the criminal tax Information;

(b) The United States will not file any additional charges against defendant arising out of the present offenses or investigation in the Western District of Missouri;

(c) If defendant CONWAY provides substantial assistance in the investigation and prosecution of others, including but not limited to testimony at the trial of her co-defendants, the United States will file a motion to permit, but not require, the Court to depart downward from the sentencing guideline range of sentences required by the United States Sentencing Guidelines. Defendant Conway acknowledges that additional paragraphs of this Plea Agreement apply to any such motion for downward departure;

(d) The United States will not seek an upward departure from the sentencing guideline range of sentences; and

(e) The United States may, in its sole discretion, make a sentence recommendation to the Court which is not binding on the Court.

In the event that the defendant breaches or violates this Plea Agreement or otherwise fails to adhere to its terms, the United States shall not be bound by this paragraph and may pursue any additional charges arising from the criminal activity under investigation as well as any perjury, false statement, or obstruction of justice charges which may have resulted.

The defendant understands and agrees that in the event she violates this Plea Agreement, all statements made by her to law

enforcement agents subsequent to the execution of this Plea Agreement, any testimony given by her before a grand jury or any tribunal or any leads from such statements or testimony shall be admissible against her in any and all criminal proceedings. The defendant waives any rights which might be asserted under the United States Constitution, any statute, Federal Rules of Criminal Procedure, Section 11(e)(6), Federal Rules of Evidence, Section 410, or any other federal rule that pertains to the admissibility of any statements made by her subsequent to this Plea Agreement.

11. The defendant agrees to cooperate fully and truthfully with the United States as follows:

a. Defendant agrees to provide truthful, complete, and accurate information and testimony in the trial of this matter or in any related hearing;

b. Defendant agrees to provide all information concerning her knowledge of, and participation in, the offenses charged in the Indictment, and any other crimes about which she has knowledge;

c. Defendant agrees that she will not falsely implicate any person or entity and will not protect any person or entity through false or misleading information or omission;

d. Defendant agrees to testify as a witness before any grand jury, hearing, or trial when requested to do so by the United States;

e. Defendant agrees to hold herself reasonably available for any interviews the United States may require. The defendant waives any right to the presence of counsel at such meetings, debriefings, or pretrial



preparation sessions, unless her attorney specifically requests to be present at each meeting;

f. Defendant agrees to provide to the United States all documents or other items under her control which may pertain to any criminal violation;

g. Defendant understands that her cooperation shall be provided to any local, state, and federal law enforcement agency as requested by counsel for the United States;

h. Defendant agrees and understands that this Plea Agreement requires that her cooperation may continue even after the time she is sentenced. Failure to continue to cooperate after sentence is imposed constitutes a basis to void this agreement by the United States;

i. Defendant agrees that if the United States determines that she has not provided full and truthful cooperation, or has committed any local, state, or federal crime between the date of this Plea Agreement and her sentencing, or has otherwise violated any other provision of this Plea Agreement, or has violated the terms and conditions of her release while on bond as required by the Court, the Plea Agreement may be voided by the United States and the defendant shall be subject to prosecution for any federal crime of which the United States has knowledge including, but not limited to, perjury, obstruction of justice, and any substantive offenses arising from this investigation. Such prosecution may be based upon any information provided by the defendant during the course of her cooperation, or upon leads derived therefrom, and this information may be used as evidence against her. In addition, the defendant's previously entered plea of guilty will remain in effect and cannot be withdrawn. Further, any prosecution which is not barred by the applicable statute of limitations on the date of the signing of this Plea Agreement may be commenced against the defendant in accordance with this Plea Agreement, notwithstanding the expiration of the statute of limitations between the time of signing this agreement and the commencement of the prosecution. It is the specific intent of this Plea Agreement to waive any and all defenses based upon the statute of limitations

with respect to any prosecution which is not barred by the statute of limitations on the date this Plea Agreement is signed by the defendant;

j. Defendant agrees to fully and completely assist the United States in the forfeiture and recovery of forfeitable assets, either domestic or foreign, which have been acquired directly or indirectly through the unlawful activities of the defendant, her co-defendants, and her co-conspirators; and

k. Defendant agrees to fully and truthfully disclose the existence, nature, and location of all forfeitable assets in which she has acquired any interest. The defendant acknowledges that the United States may institute civil or administrative forfeiture proceedings against all of those assets and defendant will not contest any such forfeiture proceedings.

12. "Substantial assistance" within the meaning of Title 18, United States Code, Section 3553(e) has not yet been provided by the defendant. Upon the determination by the United States Attorney for the Western District of Missouri that the defendant has provided "substantial assistance," the United States shall request the Court to reduce the sentence defendant would otherwise receive under the applicable statutes and/or sentencing guidelines pursuant to Title 28, United States Code, Section 994(n), Title 18, United States Code, Section 3553(e), and the Sentencing Guidelines, Section 5K1.1. The United States reserves the right to make the sole determination as to whether and when the defendant has provided such substantial assistance and further whether to request a reduction generally or a specific sentence or sentence reduction.

13. In exchange for defendant's agreement to cooperate with the United States, the United States agrees not to use new information that defendant provides about her own criminal conduct except as specifically authorized by Section 1B1.8 of the United States Sentencing Guidelines. As such, this information may be revealed to the Court but may not be used against the defendant in determining the defendant's applicable guideline range or departing above her guideline range. Defendant understands and agrees, however, that under Section 1B1.8, there shall be no such restrictions on the use of the information: (1) previously known to the United States; (2) revealed to the United States by, or discoverable through, an independent source; (3) in a prosecution for perjury or giving a false statement; (4) in the event there is a breach of this agreement; or (5) in determining whether and to what extent a downward departure as a result of a government motion pursuant to Title 18, United States Code, Section 3553(e) and U.S.S.G. § 5K1.1 is warranted.

14. The defendant understands that if the Court accepts this Plea Agreement but imposes a sentence which defendant does not like or agree with, she will not be permitted to withdraw her plea of guilty.

15. The defendant understands that a mandatory special assessment of \$100 per count of conviction will be entered against

the defendant at the time of sentencing. The defendant agrees to deliver to the Clerk of the Court a check payable to the Clerk in the appropriate amount, and to provide evidence of the payment to counsel for the United States within ten (10) days of the filing of this Plea Agreement with the Court.

16. The defendant agrees not to appeal or otherwise challenge the constitutionality or legality of the Sentencing Guidelines. The defendant understands and acknowledges that her sentence will be determined and imposed pursuant to those Sentencing Guidelines. Defendant is aware that a sentence imposed under the Sentencing Guidelines does not provide for parole. The defendant agrees that this Court has jurisdiction and authority to impose any sentence up to the statutory maximum established for the offenses to which she is pleading guilty.

The parties expressly waive the right to appeal or collaterally attack by post-conviction motion any sentencing issue, including the applicability of certain U.S. Sentencing Guidelines provisions, which have been addressed and agreed upon in this Plea Agreement, and which are set forth in paragraph 15. Each party retains the right to appeal only sentencing issues which have not been agreed-upon or which have not been specifically addressed in the Plea Agreement. The defendant expressly waives the right to appeal or collaterally attack by post-conviction motion all other issues.

17. The defendant understands the United States will provide to the Court and the United States Probation Office a Government version of the offense conduct. This may include information concerning the background, character, and conduct of the defendant including the entirety of the defendant's criminal activities. The defendant understands these disclosures are not limited to the count to which the defendant has pled guilty. The United States may respond to comments made or positions taken by the defendant or defendant's counsel and to correct any misstatements or inaccuracies. The United States further reserves its right to make any recommendations it deems appropriate regarding the disposition of this case, subject only to any limitations set forth in this Plea Agreement.

18. With respect to the application of the sentencing guidelines to this case, the parties agree as follows:

a. The applicable guideline section for the offense of conviction under tax evasion is Section 2T1.1.

b. The base offense level from Section 2T4.1 (Tax Table) is 18 based on a loss of more than \$200,000 and less than \$400,000.

c. The United States submits, but defendant may contest, that there is an increase of 2 levels under Section 2T1.1(b)(1) for failing to report income exceeding \$10,000 in any year from criminal activity.

d. The defendant has admitted her guilt and accepted responsibility for her actions, and she has done so in a timely fashion, allowing the United States to

avoid the time and expense of preparing for trial. Consequently, she is entitled to a 2 level reduction pursuant to Section 3E1.1 of the Sentencing Guidelines. Defendant did not admit her guilt and accept responsibility in a timely enough manner to qualify for an additional one point reduction under Section 3E1.1.

e. The defendant's criminal history is believed to be category I. The parties agree that the Court and the United States Probation Office must determine her applicable Criminal History Category.

f. If the sentencing guidelines set forth above are accurate, the adjusted offense level is 18, resulting in a sentencing range of 27-33 months.

19. There are no agreements between the parties with respect to any sentencing guideline issues other than those specifically listed in paragraph 18, and its subsections. As to any other issues which may be found to exist, the parties are free to advocate their respective positions at the sentencing hearing.

20. The defendant waives all rights, whether asserted directly or by a representative, to request or receive from any department or agency of the United States any records pertaining to the investigation or prosecution of this case, including without limitation, any records that may be sought under the Freedom of Information Act, 5 U.S.C. § 552, or the Privacy Act of 1974, 5 U.S.C. § 552a.

21. The defendant understands that the United States reserves the right in this case to:

a. oppose or take issue with any position advanced by defendant at the sentencing hearing which may be inconsistent with the provisions of this Plea Agreement;

b. comment on the evidence supporting the charge in the Indictment;

c. oppose any arguments and requests for relief the defendant may advance on an appeal from the sentences imposed;

d. oppose any post-conviction motions for reduction of sentence, or other relief.

22. The defendant has read the Plea Agreement, understands it, and by her signature, states that it is true and accurate and not the result of any threats or coercion.

Both parties agree that no promises or agreements have been made other than those set forth in the Plea Agreement, nor has the United States promised the defendant any additional consideration to induce her to sign this Plea Agreement. The defendant acknowledges that he is entering into this Plea Agreement and is pleading guilty freely and voluntarily.

The defendant further acknowledges her understanding of the nature of the offense or offenses to which she is pleading guilty and the elements of the offense or offenses, including the penalties provided by law, and her complete satisfaction with the representation and advice received from her undersigned counsel.

The defendant also understands that she has the right to plead not guilty or to persist in that plea if it has already been made, the

right to be tried by a jury with the assistance of counsel, the right to confront and cross-examine the witnesses against her, the right against compulsory self-incrimination, and the right to compulsory process for the attendance of witnesses to testify in defendant's defense. Defendant understands that by pleading guilty, she waives or gives up those rights and there will be no trial.

The defendant further understands that if she pleads guilty, the Court may ask her questions about the offense or offenses to which he pled guilty, and if the defendant answers those questions under oath and in the presence of counsel, her answers may later be used against her in a prosecution for perjury or false statement.

The defendant also understands she has pled guilty to felony offenses and, as a result, may be deprived of certain rights, such as



the right to vote, hold public office, serve on a jury, and possess a firearm.

Todd P. Graves  
United States Attorney

Dated: 5/2/2003 By /S/  
J. Daniel Stewart  
Assistant United States Attorney

Dated: 5/2/2003 By /S/  
James Curt Bohling  
Assistant United States Attorney

Dated: 5/2/2003 /S/  
Corinne Conway  
Defendant

Dated: 5/2/2003 /S/  
Robin Fowler  
Attorney for Defendant Conway